

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

IGORS PIRINS,

Defendant.

16-CR-692-14 (JMF)

MEMORANDUM OPINION
AND ORDER

JESSE M. FURMAN, United States District Judge:

On April 15, 2022, Defendant, proceeding without counsel, filed a motion for compassionate release. *See* ECF No. 541. On June 27, 2022, the Court denied the motion. *See* ECF No. 553. On October 27, 2022, Defendant, still proceeding without counsel, filed a new motion, styled a “motion to re-open the reduction in sentence proceeding.” *See* ECF No. 560.

Upon review of the motion papers, the Court DENIES Defendant’s latest motion, substantially for the reasons set forth in the Government’s opposition. *See* ECF No. 562. As the Government notes, Defendant’s latest motion largely retreads the arguments he made in his first motion and, thus, is properly treated as a motion for reconsideration. Viewed as such, the motion must be and is denied as both untimely and without merit, as Defendant points to neither controlling decisions nor data that the Court overlooked. *See, e.g., Shrader v. CSX Transp., Inc.*, 70 F.3d 255, 257 (2d Cir. 1995). To the extent that Defendant’s latest motion includes any arguments that he did not make in his original motion, it must be and is denied for failure to satisfy the exhaustion requirement set forth in 18 U.S.C. § 3582(c)(1)(A).

This Court certifies, pursuant to Title 28, United States Code, Section 1915(a)(3), that any appeal from this Memorandum Opinion and Order would not be taken in good faith, and *in forma pauperis* status is thus denied. *See, e.g., Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to terminate ECF No. 560 and to mail a copy of this Order to:

Igors Pirins
Marshal Reg. No. 86435-054
FCI Hazelton
P.O. Box 5000
Bruceton Mills, WV 26525

SO ORDERED.

Dated: November 3, 2022
New York, New York


JESSE M. FURMAN
United States District Judge